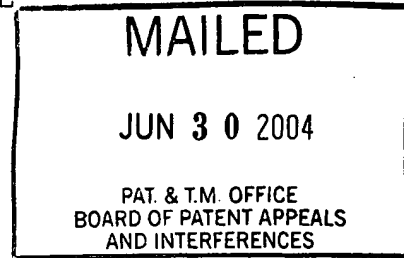


UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES  
\_\_\_\_\_



Ex parte WILLIAM J. DHIMITRI and WALTER C. WELTON-LAIR

\_\_\_\_\_  
Application No. 09/589,049  
\_\_\_\_\_

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER  
\_\_\_\_\_

This application was received at the Board of Patent Appeals and Interferences on May 24, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

Appellants filed an amendment (Paper No. 7) on April 14, 2003. On May 12, 2003, a Request for Continued Examination (RCE) was filed by appellants to enter the amendment filed April 14, 2003. The Examiner's response in an Office action (Paper No. 10) filed July 2, 2003 indicates that the amendment would be entered.

Application No. 09/589,049

A review of the files reveals that the amendment was not physically entered. Appropriate correction is required.

Accordingly, it is

ORDERED that this application be returned to the examiner for: 1) physical entry of the amendment filed April 14, 2003 (Paper No. 7); and 2) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: 

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DMS/tdl/pb  
RA04-0628